

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

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In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

PROMESA  
Title III

as representative of

Case No. 17-3283 (LTS)

THE COMMONWEALTH OF PUERTO  
RICO et al.,

Debtor.<sup>1</sup>

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AMBAC ASSURANCE CORPORATION,

Plaintiff,

v.

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO  
RICO et al.,

Adv. Proc. No. 20-068 (LTS)

Defendants.  
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ORDER REGARDING PROCEDURES FOR JANUARY 12, 2021, HEARING

The Court will hear oral arguments in connection with the pending motion to  
dismiss in the above-captioned adversary proceeding (Docket Entry No. 36, the “Motion to

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Dismiss”) beginning at **10:00 a.m. (Atlantic Standard Time) (9:00 a.m. Eastern Standard Time) on January 12, 2021** (the “Hearing”). In light of the ongoing COVID-19 public health crisis, the Court will conduct the Hearing telephonically via CourtSolutions. The Hearing shall be governed by the following procedures.

**Registration for Speaking and Listen-In Lines for Attorneys; Listen-In Facilities for Members of Public and Press**

1. Attorneys who have entered an appearance in the Title III proceedings may register to participate as speakers or listen-in on the Hearing by telephone. Such attorneys must register with CourtSolutions at [www.court-solutions.com](http://www.court-solutions.com) no later than **January 8, 2021, at 5:00 p.m. (Atlantic Standard Time)** and pay the fee established by CourtSolutions. In order to promote the efficient conduct of the proceedings, the number of speaking participation lines shall be limited. The Financial Oversight and Management Board for Puerto Rico and Ambac Assurance Corporation shall be limited to four such speaking lines each, and each other party to the motion practice shall be limited to two speaking lines each. There will be no limitation on the registration of listen-in lines for attorneys who have entered appearances in these proceedings.

2. In order to listen-in on the proceedings by telephone, members of the public and press should dial (888) 363-4749 and enter the access code (7214978) and security code (5162) when prompted. The access lines for press and the general public will be in listen-only mode at all times. Recording and further broadcasting of the proceedings by any means remain prohibited. Although Judicial Conference policy generally prohibits the broadcasting of proceedings in federal trial courts, the Executive Committee of the Judicial Conference has approved a limited temporary exception to the policy to allow a judge to authorize the use of teleconference technology to provide the public and the press with audio access to court

proceedings while public access to federal courthouses is restricted due to the health and safety concerns presented by the COVID-19 pandemic.

**Order and Number of Speakers; Telephone Etiquette**

3. The Court has allotted a total of two hours of argument time for the Motion to Dismiss.

4. Counsel who intend to speak must jointly file an informative motion by **January 8, 2021, at 12:00 p.m. (Atlantic Standard Time)** identifying (a) the names of the individuals who intend to appear and speak in connection with the Motion to Dismiss, (b) the order in which the speakers shall present argument, and (c) time allocations for each speaker.

5. During the call, the individuals who are allocated speaking lines are directed to observe the following rules:

- a. Use a landline whenever possible.
- b. Use a handset rather than a speakerphone.
- c. Identify yourself if asked to do so.
- d. Identify yourself by name each time you speak.
- e. Mute yourself when you are not speaking to eliminate background noise.
- f. Spell proper names.

6. All persons granted remote access to the proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court.

**Pre-Hearing Exhibit Compilation Filing Deadline**

7. To the extent that counsel at the Hearing intend to refer to demonstratives or to direct the Court's attention to particular exhibits that have been filed in connection with the Motion to Dismiss, counsel shall file any such exhibits and/or demonstratives in searchable PDF format as attachments to an informative motion labeled to correspond to the Motion to Dismiss by **3:00 p.m. (Atlantic Standard Time) on January 8, 2020**. Each party shall mark its exhibits, if any, in a distinctive manner (e.g., "Movants' Ex. 1" or "Opponents' Ex. 1"), include an exhibit list cross-referencing each exhibit with its location in the motion submissions that are on the docket, and bookmark its combined PDF filing to designate the first page of each of the included exhibits and/or demonstratives.

SO ORDERED.

Dated: January 4, 2021

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
United States District Judge